



S/N 10/796,526

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Michael J. Wurtz  
Serial No.: 10/796,526  
Filed: March 9, 2004  
Title: AUTOMATIC TURN-ON AND TURN-OFF CONTROL FOR BATTERY-POWERED HEADSETS

Examiner: Fatimat O. Olaniran  
Group Art Unit: 2609  
Docket: 1700.002US2

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Eduardo E. Drake, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on March 9, 2004. I am making this petition on behalf of Lightspeed Aviation, Inc., the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

**Certificate Under 37 C.F.R. § 3.73(b)**

Your petitioner, , certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/796,526) and to U.S. Serial No.. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for both of these applications. The assignment for U.S. Serial No. 09/518,917 was recorded on March 23, 2006 on Reel 017353, Frames 0114, with the United States Patent and Trademark Office. The above-identified patent application (Serial No. 10/796,526) is a continuation of U.S. Serial No. 09/518,917.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Lightspeed Aviation, Inc., seeking to take the action set forth in this disclaimer.

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Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of any patent which may issue from U.S. Serial No.. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to any patent which may issue from U.S. Serial No. and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent which may be granted on U.S. Serial No. in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove. Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application if no patent issues from U.S. Serial No..

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Fee Status

Please charge Deposit Account 19-0743 in the amount of \$130.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date: March 19, 2008

BY:

Eduardo E. Drake  
Reg. No. 40,594

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 19<sup>th</sup> day of March 2008.

Name

Eduardo E. Drake

Signature

HHD